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October 8, 1999

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DOCKET FILE COPY ORIGINAL

OCT - 8 1999

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Ms. Magalie Salas
Secretary
Federal Communications Commission
Portals II - 12th Street Lobby
Filing Counter - TW-A325
445 - 12th Street, S.W.
Washington, DC 20554

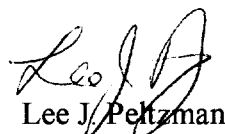
Re: BK Radio, Llano, Texas
BPH-970815MD
MM Docket 99-131

Dear Ms. Salas:

Transmitted herewith, on behalf of BK Radio, applicant for a new FM construction permit at Llano, Texas, is an original and two copies, of an amendment to its above-referenced application. This amendment is being filed consistent with the Commission Report and Order, DA 99-1387, released July 16, 1999, in which the Commission stated that BK Radio would be able to amend its application to specify operation on Channel 275A in lieu of Channel 242A while retaining cut-off protection.

Please contact the undersigned in the event the Commission has any questions with respect to the attached amendment.

Sincerely,


Lee J. Peltzman
Counsel for
BK RADIO

Enclosures

FOR
FCC
USE
ONLY

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OCT - 8 1999

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

FCC 301
APPLICATION FOR CONSTRUCTION PERMIT
FOR COMMERCIAL BROADCAST STATION

FOR COMMISSION USE ONLY
FILE NO.

Section I - General Information

1. Legal Name of the Applicant BK RADIO		
Mailing Address 1809 LIGHTSEY ROAD		
City Austin	State or Country (if foreign address) TX	ZIP Code 78704
Telephone Number (include area code) 512-266-3836	E-Mail Address (if available)	
	Call Sign	Facility ID Number 87998

2. Contact Representative (if other than applicant) LEE J PELTZMAN	Firm or Company Name SHAINIS & PELTZMAN
Telephone Number (include area code) (202) 293-0569	E-Mail Address (if available)

3. If this application has been submitted without a fee, indicate reason for fee exemption (see 47 C.F.R. Section 1.1114):

☐ Governmental Entity ☒ Other **DA-99-1387, DOCKET 99-131, RM-9333**

4. **Application Purpose.**

- | | |
|--|--|
| <input type="checkbox"/> New station | <input type="checkbox"/> Major Modification of construction permit |
| <input type="checkbox"/> Major Change in licensed facility | <input type="checkbox"/> Minor Modification of construction permit |
| <input type="checkbox"/> Minor Change in licensed facility | <input type="checkbox"/> Major Amendment to pending application |
| | <input checked="" type="checkbox"/> Minor Amendment to pending application |

a. File number of original construction permit: **BPH-970815 MD** ☐ N/A

b. Service Type: ☐ AM ☒ FM ☐ TV ☐ DTV

c. Community of License: City **LLANO** State **TX**

d. Facility Type: ☒ Main ☐ Auxiliary

If an amendment, submit as an Exhibit a listing by Section and Question Number of the portions of the pending application that are being revised.

Exhibit No.

A

NOTE: In addition to the information called for in this section, an explanatory exhibit providing full particulars must be submitted for each question for which a "No" response is provided.

Section II - Legal

1. **Certification.** Applicant certifies that it has answered each question in this application ☒ Yes ☐ No based on its review of the application instructions and worksheets. Applicant further certifies that where it has made an affirmative certification below, this certification constitutes its representation that the application satisfies each of the pertinent standards and criteria set forth in the application instructions and worksheets.

2. **Parties to the Application.**

- a. List the applicant, and, if other than a natural person, its officers, directors, stockholders with attributable interests, non-insulated partners and/or members. If a corporation or partnership holds an attributable interest in the applicant, list separately its officers, directors, stockholders with attributable interests, non-insulated partners and/or members. Create a separate row for each individual or entity. Attach additional pages if necessary.

- (1) Name and address of the applicant and, if applicable, its officers, directors, stockholders, or partners (if other than individual also show name, address and citizenship of natural person authorized to vote the stock). List the applicant first, officers next, then directors and, thereafter, remaining stockholders and partners.
- (2) Citizenship.
- (3) Positional Interest: Officer, director, general partner, limited partner, LLC member, etc.
- (4) Percentage of votes.
- (5) Percentage of equity.

(1)	(2)	(3)	(4)	(5)
APPLICANT: BK RADIO 1809 LIGHTSEY ROAD AUSTIN, TX 78704				
BRYAN A. KING 1809 LIGHTSEY ROAD AUSTIN, TX. 78704	U.S.A.	GENERAL PARTNER	50%	50%
JAMES S. BUMPUS 13915 LAKEVIEW DR. AUSTIN, TX. 78732	U.S.A.	GENERAL PARTNER	50%	50%

- b. Applicant certifies that equity interests not set forth above are non-attributable.

☐ Yes ☐ No

See Explanation in Exhibit No.

☒ N/A

3. **Other Authorizations.** List call signs, locations, and facility identifiers of all other broadcast stations in which applicant or any party to the application has an attributable interest.

Exhibit No.

B

☐ N/A

4. **Multiple Ownership.**

- a. Applicant certifies that the proposed facility:

☒ Yes ☐ No


See Explanation in Exhibit No.

1. complies with the Commission's multiple and cross-ownership rules;
2. does not present an issue under the Commission's cross-interest policy;
3. does not present an issue under the Commission's policies relating to media interests of immediate family members;
4. complies with the Commission's policies relating to future ownership interests; and
5. complies with the Commission's restrictions relating to the insulation and non-participation of non-party investors and creditors.

Section II - Legal

- b **Radio Applicants Only.** If the grant of the application would result in certain principal community service contour overlaps, see Local Radio Ownership Worksheet, Question 1, applicant certifies that all relevant information has been placed in public inspection file(s) and submitted to the Commission. ☐ Yes ☐ No ☒ N/A See Explanation in Exhibit No.
5. **Character Issues.** Applicant certifies that neither applicant nor any party to the application has or has had any interest in, or connection with: ☒ Yes ☐ No See Explanation in Exhibit No.
- a. any broadcast application in any proceeding where character issues were left unresolved or were resolved adversely against the applicant or party to the application; or
- b. any pending broadcast application in which character issues have been raised.
6. **Adverse Findings.** Applicant certifies that, with respect to the applicant and any party to the application, no adverse finding has been made, nor has an adverse final action been taken by any court or administrative body in a civil or criminal proceeding brought under the provisions of any law related to the following: any felony; mass media-related antitrust or unfair competition; fraudulent statements to another governmental unit; or discrimination. ☒ Yes ☐ No See Explanation in Exhibit No.
7. **Alien Ownership and Control.** Applicant certifies that it complies with the provisions of Section 310 of the Communications Act of 1934, as amended, relating to interests of aliens and foreign governments. ☒ Yes ☐ No See Explanation in Exhibit No.
8. **Program Service Certification.** Applicant certifies that it is cognizant of and will comply with its obligations as a Commission licensee to present a program service responsive to the issues of public concern facing the station's community of license and service area. ☒ Yes ☐ No
9. **Local Public Notice.** Applicant certifies that it has or will comply with the public notice requirements of 47 C.F.R. Section 73.3580. ☒ Yes ☐ No
10. **Auction Authorization.** If the application is being submitted to obtain a construction permit for which the applicant was the winning bidder in an auction, then the applicant certifies, pursuant to 47 C.F.R. Section 73.5005(a), that it has attached an exhibit containing the information required by 47 C.F.R. Sections 1.2107(d), 1.2110(i), 1.2112(a) and 1.2112(b), if applicable. ☐ Yes ☐ No ☒ N/A
- Exhibit No.
- An exhibit is required unless this question is inapplicable.**
11. **Anti-Drug Abuse Act Certification.** Applicant certifies that neither applicant nor any party to the application is subject to denial of federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. Section 862. ☒ Yes ☐ No

I certify that the statements in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith. I acknowledge that all certifications and attached Exhibits are considered material representations. I hereby waive any claim to the use of any particular frequency as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise, and request an authorization in accordance with this application. (See Section 304 of the Communications Act of 1934, as amended.)

Typed or Printed Name of Person Signing JAMES S. BUMPOLS	Typed or Printed Title of Person Signing GENERAL PARTNER
Signature 	Date 10/7/99

WILLFUL FALSE STATEMENTS ON THIS FORM ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT
(U.S. CODE, TITLE 18, SECTION 1001), AND/OR REVOCATION OF ANY STATION LICENSE OR CONSTRUCTION PERMIT
(U.S. CODE, TITLE 47, SECTION 312(a)(1)), AND/OR FORFEITURE (U.S. CODE, TITLE 47, SECTION 503).

SECTION III PREPARER'S CERTIFICATION

I certify that I have prepared Section III (Engineering Data) on behalf of the applicant, and that after such preparation, I have examined and found it to be accurate and true to the best of my knowledge and belief.

Name JAMES S. BUMPOLS	Relationship to Applicant (e.g., Consulting Engineer) GENERAL PARTNER	
Signature <i>James S. Bumpols</i>	Date 10/7/99	
Mailing Address 13915 LAKEVIEW DR.		
City AUSTIN	State or Country (if foreign address) TX	ZIP Code 78732
Telephone Number (include area code) 512-266-3836	E-Mail Address (if available) k5dog@hotmail.com	

WILLFUL FALSE STATEMENTS ON THIS FORM ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT
(U.S. CODE, TITLE 18, SECTION 1001), AND/OR REVOCATION OF ANY STATION LICENSE OR CONSTRUCTION PERMIT
(U.S. CODE, TITLE 47, SECTION 312(a)(1)), AND/OR FORFEITURE (U.S. CODE, TITLE 47, SECTION 503).

SECTION III-B FM Engineering

TECHNICAL SPECIFICATIONS

Ensure that the specifications below are accurate. Contradicting data found elsewhere in this application will be disregarded. All items must be completed. The response "on file" is not acceptable.

TECH BOX

1. Channel: 275
2. Class: ☒ A ☐ B1 ☐ B ☐ C3 ☐ C2 ☐ C1 ☐ C ☐ D
3. Antenna Location Coordinates: (NAD 27)

30 ° 46 ' 21 "
98 ° 47 ' 20 "

☒ N ☐ S Latitude

☐ E ☒ W Longitude
4. One-Step Proposal Allotment Coordinates: (NAD 27) ☐ Not applicable

° ' "
 ° ' "

☐ N ☐ S Latitude

☐ E ☐ W Longitude
5. Antenna Structure Registration Number:
☐ Not applicable ☒ FAA Notification Filed with FAA
6. Antenna Location Site Elevation Above Mean Sea Level: 360 meters
7. Overall Tower Height Above Ground Level: 125 meters
8. Height of Radiation Center Above Ground Level: 90 meters (H) 90 meters (V)
9. Height of Radiation Center Above Average Terrain: 77 meters (H) 77 meters (V)
10. Effective Radiated Power: 6 kW (H) 6 kW (V)
11. Maximum Effective Radiated Power: ☒ Not applicable kW (H) kW (V)
(Beam-Tilt Antenna ONLY)
12. Directional Antenna Relative Field Values: ☒ Not applicable (Nondirectional)
Rotation: ° ☐ No rotation

Degree	Value	Degree	Value	Degree	Value	Degree	Value	Degree	Value	Degree	Value
0		60		120		180		240		300	
10		70		130		190		250		310	
20		80		140		200		260		320	
30		90		150		210		270		330	
40		100		160		220		280		340	
50		110		170		230		290		350	
Additional Azimuths											

NOTE: In addition to the information called for in this section, an explanatory exhibit providing full particulars must be submitted for each question for which a "No" response is provided.

CERTIFICATION

**AUXILIARY ANTENNA APPLICANTS ARE NOT REQUIRED TO RESPOND TO ITEMS 13-16.
PROCEED TO ITEM 17.**

13. **Allotment.** The proposed facility complies with the allotment requirements of 47 C.F.R. Section 73.203. ☒ Yes ☐ No See Explanation in Exhibit No.
14. **Community Coverage.** The proposed facility complies with 47 C.F.R. Section 73.315. ☒ Yes ☐ No See Explanation in Exhibit No.
15. **Main Studio Location.** The proposed main studio location complies with 47 C.F.R. Section 73.1125. ☒ Yes ☐ No See Explanation in Exhibit No.
16. **Interference.** The proposed facility complies with all of the following applicable rule sections. Check all those that apply. ☒ Yes ☐ No See Explanation in Exhibit No.

Separation Requirements.

- a. ☐ 47 C.F.R. Section 73.207.

Grandfathered Short-Spaced.

- b. ☐ 47 C.F.R. Section 73.213(a) with respect to station(s): _____
Exhibit Required.
- c. ☐ 47 C.F.R. Section 73.213(b) with respect to station(s): _____
Exhibit Required.
- d. ☐ 47 C.F.R. Section 73.213(c) with respect to station(s): _____
Exhibit Required.

Exhibit No.

Exhibit No.

Exhibit No.

Contour Protection.

- e. ☒ 47 C.F.R. Section 73.215 with respect to station(s): KOOV
Exhibit Required.

Exhibit No.
C

17. **Environmental Protection Act.** The proposed facility is excluded from environmental processing under 47 C.F.R. Section 1.1306 (*i.e.*, the facility will not have a significant environmental impact and complies with the maximum permissible radiofrequency electromagnetic exposure limits for controlled and uncontrolled environments). Unless the applicant can determine compliance through the use of the RF worksheets in Appendix A, an **Exhibit is required.** ☒ Yes ☐ No See Explanation in Exhibit No.

By checking "Yes" above, the applicant also certifies that it, in coordination with other users of the site, will reduce power or cease operation as necessary to protect persons having access to the site, tower or antenna from radiofrequency electromagnetic exposure in excess of FCC guidelines.

PREPARER'S CERTIFICATION ON PAGE 3 MUST BE COMPLETED AND SIGNED.

Proposed Llano, Texas, Channel 275A
FCC form 301, Section I, 4 Exhibit A

Bk Radio proposes revisions to the following Sections and Question Numbers of form 301.

<u>Section:</u>	<u>Revision:</u>
Section III-B, 1	Channel = 275
Section III-B, 3	N. 30 46' 21" W. 98 47' 20"
Section III-B, 6	360 meters
Section III-B, 7	125 meters
Section III-B, 8	90 meters H&V
Section III-B, 9	77 meters H&V
Section III-B, 10	6 kw H&V
Section III-B, 16, e	Protected station KOOV (see Exhibit "C")

Proposed Llano, Texas, Channel 275A
FCC form 301, Section II, 3 Exhibit B

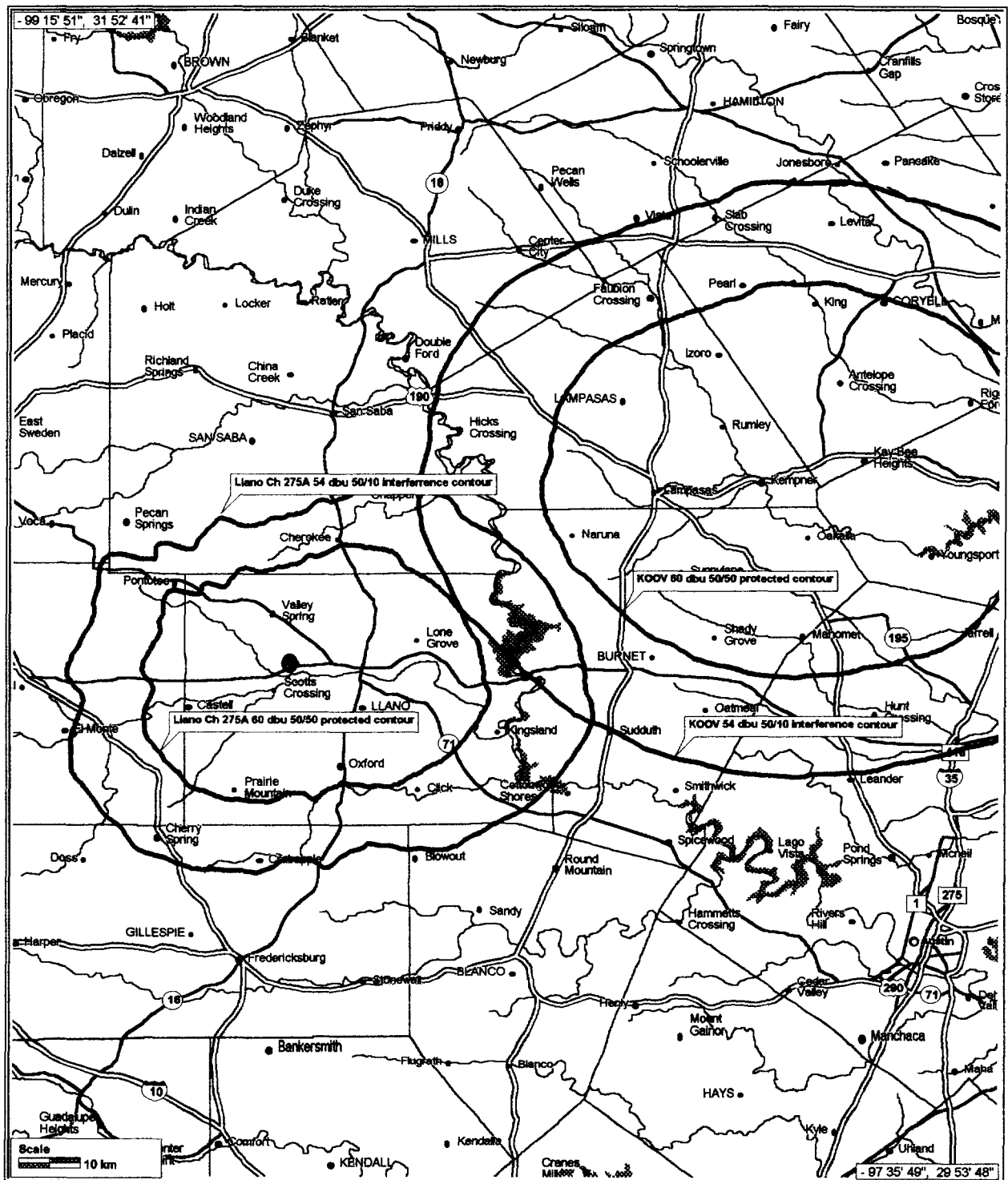
James S. Bumpous, a partner in BK Radio holds attributable interest in the following facilities:

Station KAJI	Point Comfort, TX.	Facility # 6022
New CP	Las Vegas, NM.	Facility # 83285
New CP	Hurley, NM	Facility # 87838

Bryan A. King, a partner in BK Radio holds attributable interest in the following facilities:

Station KAJI	Point Comfort, TX.	Facility # 6022
New CP	Las Vegas, NM.	Facility # 83285

FCC FORM 301, SECTION III-B, 16, e Exhibit C



DISTANCES TO CONTOURS (Kilometers):**Frequency: 102.9000 MHz**

AZ (deg)	HAAT (m)	ERP (dBk)	CONTOUR LEVELS (dBu):	
			60 50/50	54 50/10
0	41	7.78	18.4	27.7
5	44	7.78	18.9	28.5
10	50	7.78	20.4	30.8
15	54	7.78	21.1	31.8
20	65	7.78	23.2	34.9
25	70	7.78	24.2	36.4
30	74	7.78	24.8	37.3
35	79	7.78	25.7	38.8
40	84	7.78	26.3	39.7
45	79	7.78	25.6	38.6
50	82	7.78	26.1	39.4
55	88	7.78	26.9	40.6
60	93	7.78	27.6	41.7
65	97	7.78	28.2	42.7
70	101	7.78	28.6	43.4
75	104	7.78	28.9	44
80	109	7.78	29.6	45
85	115	7.78	30.2	46.1
90	118	7.78	30.6	46.7
95	121	7.78	30.9	47.2
100	132	7.78	32.1	48.9
105	134	7.78	32.3	49.3
110	129	7.78	31.8	48.5
115	124	7.78	31.3	47.8
120	121	7.78	30.9	47.2
125	117	7.78	30.5	46.4
130	109	7.78	29.6	45
135	104	7.78	29	44
140	100	7.78	28.5	43.2
145	97	7.78	28.1	42.5
150	85	7.78	26.5	40
155	75	7.78	25	37.6
160	68	7.78	23.9	35.9
165	71	7.78	24.3	36.5
170	78	7.78	25.4	38.3
175	71	7.78	24.4	36.7
180	71	7.78	24.3	36.6
185	78	7.78	25.5	38.5
190	83	7.78	26.2	39.5
195	85	7.78	26.6	40.1

DISTANCES TO CONTOURS (Kilometers):**Frequency: 102.9000 MHz**

AZ (degs)	HAAT (m)	ERP (dBk)	CONTOUR LEVELS (dBu):	
			60 50/50	54 50/10
200	90	7.78	27.2	41
205	92	7.78	27.5	41.5
210	93	7.78	27.6	41.7
215	96	7.78	28.1	42.5
220	90	7.78	27.3	41.2
225	89	7.78	27.1	41
230	87	7.78	26.8	40.5
235	86	7.78	26.7	40.3
240	86	7.78	26.7	40.3
245	79	7.78	25.6	38.7
250	72	7.78	24.5	36.9
255	64	7.78	23	34.7
260	61	7.78	22.6	33.9
265	66	7.78	23.6	35.4
270	66	7.78	23.5	35.3
275	62	7.78	22.7	34.1
280	59	7.78	22.1	33.2
285	57	7.78	21.6	32.6
290	60	7.78	22.3	33.5
295	61	7.78	22.5	33.9
300	66	7.78	23.4	35.3
305	65	7.78	23.3	35.1
310	48	7.78	19.9	30.1
315	49	7.78	20.1	30.4
320	44	7.78	18.9	28.6
325	38	7.78	17.6	26.4
330	41	7.78	18.4	27.7
335	45	7.78	19.1	28.9
340	43	7.78	18.7	28.2
345	38	7.78	17.6	26.5
350	38	7.78	17.6	26.4
355	40	7.78	18	27.1